

# EXHIBIT 11

Page 1

UNITED STATES DISTRICT COURT  
IN AND FOR THE DISTRICT OF WYOMING

STEPHANIE WADSWORTH,  
Individually and as  
Parent and Legal Guardian  
of W.W., K.W., G.W., and  
L.W., minor children, and  
MATTHEW WADSWORTH,  
Plaintiffs,  
vs.  
WALMART, INC. AND JETSON  
ELECTRIC BIKES, LLC,  
Defendants.

## Defendants.

VIDEOTAPED REMOTE DEPOSITION OF  
CALLIE M. THOMPSON, M.D., FACS  
Pages 1 to 56

October 15, 2024

12:34 p.m. ET to 1:51 p.m. ET

34 a.m. MT to 11:51 a.m.

Stenographically Reported By:  
HEATHER M. ANDREWS, Certified Court Reporter,  
Notary Public

Videotaped By:  
COREY MCMILLAN, Videographer

Page 2

1 ALL APPEARANCES REMOTE:  
 2 RUDWIN AYALA, ESQUIRE  
 3 Morgan & Morgan  
 4 1700 Palm Beach Lakes Blvd Ste 500  
 5 West Palm Beach, FL 33401-2013  
 6 Office: 561-764-2220  
 7 Cell: 954-871-2801  
 8 Rayala@forthepeople.com  
 9 On behalf of the Plaintiffs

10 JARED GIROUX, ESQUIRE  
 11 McCoy Levitt Laskey  
 12 202 US Route 1  
 13 Suite 200  
 14 Falmouth, ME 04105  
 15 Phone: 207-387-6929  
 16 Jgiroux@mlllaw.com

17 On behalf of the Defendants

18 SUZANNE LEE, ESQUIRE  
 19 University of Utah  
 20 525 E 100 S Ste 4325  
 21 Salt Lake City, UT 84102

22 On behalf of the Dr. Thompson

23 C O N T E N T S

	PAGE
24 Examination by Mr. Ayala	5
25 Examination by Mr. Giroux	40
26 Examination by Mr. Ayala	47
27 Examination by Mr. Giroux	53
28 Certificate of Oath	55
29 Reporter's Certificate	56

30 EXHIBITS

31 PAGE

32 Exhibit 1 2024 records.....	39
33 (Will be marked and sent to counsel upon receipt.)	

Page 3

1 Deposition taken before Heather M. Andrews, Court  
2 Reporter and Notary Public in and for the State of  
3 Florida at Large in the above cause.

4 - - - - -

5 THE VIDEOGRAPHER: Good afternoon. We are  
6 going on the record at 10:34 a.m. Mountain Time on  
7 October 15th, 2024. Please note that this  
8 deposition is being conducted virtually. Quality  
9 of recording depends on the quality of camera and  
10 Internet connection of participants. What is seen  
11 from the witness and heard on screen is what will  
12 be recorded. Audio and video recording will  
13 continue to take place unless all parties agree to  
14 go off the record.

15 This is Media Unit 1 of the video recorded  
16 deposition of Dr. Callie M. Thompson taken by  
17 counsel for plaintiff in the matter of Stephanie  
18 Wadsworth, et al. vs. Walmart Inc. and Jetson  
19 Electric Bikes, LLC, filed in the United States  
20 District Court in and for the District of Wyoming,  
21 Case No. 2:23-cv-00118-NDF.

22 My name is Corey McMillan representing  
23 Veritext and I am the videographer. The court  
24 reporter is Heather Andrews, also from the firm  
25 Veritext. I am not authorized to administer an

Page 4

1 oath. I'm not related to any party in this action,  
2 nor am I financially interested in the outcome. If  
3 there are any objections to proceeding please state  
4 them at the time of your appearance.

5 Counsel will now state their appearances and  
6 affiliations for the record beginning with the  
7 noticing attorney.

8 MR. AYALA: Rudy Ayala for Morgan & Morgan on  
9 behalf of the plaintiff.

10 MR. GIROUX: Jared Giroux of McCoy Leavitt &  
11 Laskey on behalf of Jetson and Walmart.

12 MS. LEE: Suzanne Lee with the University of  
13 Utah here representing Dr. Thompson.

14 THE VIDEOGRAPHER: Will the court reporter  
15 please swear in the witness and then counsel can  
16 proceed.

17 THE REPORTER: Raise your right hand, Doctor.  
18 Do you swear or affirm to tell the truth, the whole  
19 truth and nothing but the truth?

20 THE WITNESS: I do.

21 THEREUPON,

22 DR. CALLIE M. THOMPSON,  
23 having been first duly sworn, was examined and testified  
24 as follows:

1

EXAMINATION

2

BY MR. AYALA:

3

Q. Good morning, Doctor. My name is Rudy Ayala.

4

I briefly introduced myself. I represent the plaintiffs in this matter which includes Stephanie Wadsworth, Matthew Wadsworth and their children, L█████, G█████, W█████ and K█████ W█████. First, can you please state your name.

5

A. My name is Callie Marie Thompson.

6

Q. Dr. Thompson, it's my understanding that you are currently employed at the University of Utah, U Health?

7

A. That's correct.

8

Q. And how long have you been employed by the university within their medical or health department?

9

A. Just over four years.

10

Q. And what is your current role at the university?

11

A. I'm an associate professor of surgery and a burn and critical care surgeon.

12

Q. Have you held the same or similar role for the four years?

13

A. I was promoted during that time so when I started here I was an assistant professor but otherwise yes.

1           A. I don't have a recollection of any of those  
2 conversations.

3           Q. Sitting here today do you have any -- I'll stop  
4 sharing.

5           Do you have an opinion as to any care and  
6 treatment that Stephanie needs related to her scars?

7           A. At this time I do not.

8           Q. And is that what you were saying that you would  
9 first need to review the reassessment or perform a  
10 reassessment if it's tasked to you in determining what  
11 those next treatment steps might be?

12          A. Correct.

13          Q. Let's talk if we could about W█████. Same  
14 thing, you would have seen and treated W█████ when he  
15 was admitted back in February of 2022; correct?

16          A. Correct.

17          Q. What is your recollection and understanding of  
18 the burn injuries that he sustained?

19          A. His burn injuries were much smaller than his  
20 mom's. He did need grafting and has undergone laser  
21 therapy since discharge.

22          Q. Do you recall the locations of his burn  
23 injuries?

24          A. I don't recall all of them. I know the one  
25 that I have lasered that has been the most impactful is

1 on his right leg near his knee.

2 Q. Let me see if I can pull something up real  
3 quick. Do you see my screen?

4 A. I can.

5 Q. This appears to be an H&P note from June 6th,  
6 2023 relating to W█████, and it describes him a  
7 four-year-old male who sustained an 8 percent TBSA  
8 partial thickness and full thickness thermal burn to the  
9 right lower extremity, bilateral hands and feet. Did I  
10 read that correctly?

11 A. Yeah, that's correct.

12 Q. Apparently on this date he was there for laser  
13 treatment number 2 and it was described that he was  
14 doing well, denied pain, has itchiness around his donor  
15 site mostly and an area on the medial side of his right  
16 hand as well. Do you see that?

17 A. I do.

18 Q. In this case we took the deposition of  
19 Dr. Lewis who talked a little bit about the concern of  
20 not just the laser treatment but as to the type of burn  
21 injury that he suffered, those in particular over his  
22 joints.

23 First, you haven't had a chance to read  
24 Dr. Lewis' deposition; correct?

25 A. No, I don't know where I would see it.

1 Q. No problem. Is there any type of heightened  
2 concern over burn injuries suffered by minors like  
3 W█████ that occur over joints?

4 A. Yes.

5 Q. Can you talk a little bit about what that  
6 heightened concern is and how that would affect or  
7 impact W█████?

8 A. So when you have a burn over a joint, even if  
9 it doesn't receive a skin graft, if it takes longer than  
10 14 to 21 days to heal, you're at increased risk for at  
11 least tight scarring. When that happens over a joint  
12 your body's initial response to that is to contract. So  
13 if you have a burn here on the palm of your hand and  
14 you're growing, what's going to happen is the skin on  
15 the top part of your hand is going to grow fine but the  
16 skin on the palm of your hand will not grow in the same  
17 way, and you'll have kind of clawing of the hand. This  
18 is just an example. So when a patient is growing you  
19 don't want to really let them out of your sight for too  
20 long. You want to have regular follow-up with them  
21 because a lot of times we can actually intervene before  
22 it creates a deeper problem in the joints and tendons as  
23 the patient is growing.

24 Q. Is there a time period in which you want to  
25 continue to monitor, continue to follow minor burn

1       survivors for purposes of determining whether  
2       intervention is needed and necessary to avoid some of  
3       those complications?

4           A.    Yeah.  So a kid who was injured when W\_\_\_\_\_ was  
5       injured would be followed until they went through their  
6       entire pubertal growth spurt, which is typically once  
7       they graduate high school.

8           Q.    So we're talking really 17, 18 years old of  
9       continued monitoring to try and identify any potential  
10      need for intervention due to some of those risks that  
11      you described?

12          A.    That's correct.

13          Q.    To date have you seen any of those  
14      complications or the issues arise with W\_\_\_\_\_?

15          A.    No, not to date.

16          Q.    Have the laser treatment that he's undergone  
17      been successful?

18          A.    Yes, they have.

19          Q.    Do you know how many laser treatment he has  
20      undergone?

21          A.    I do not.  He and his mom were getting them on  
22      the same day.  I can definitely double check.  I'm going  
23      to assume he had his eighth on the same day that his mom  
24      did.  No, it looks like he actually had -- he's only had  
25      seven.  One, two, three, four, five, six, seven.  He's

1 had seven and his last one was also that 5th of August.

2 Q. And to the best of your knowledge is there a  
3 plan to undergo an eighth treatment?

4 A. He does not currently have any visits  
5 scheduled.

6 Q. Is the intention of you and/or the folks, the  
7 providers at the burn unit that W█████ undergo an eighth  
8 treatment.

9 A. Not necessarily. If I was the one that was  
10 seeing Stephanie I would have a conversation about what  
11 we think the benefit is to W█████ and if it's worth the  
12 burden of the family taking two days out of their  
13 schedule to bring him down given that he has had a very  
14 good outcome with the seven lasers he's had.

15 Q. Sitting here today are you aware of any  
16 treatments or surgeries that are needed to address  
17 W█████'s burn injuries?

18 A. Not at this time.

19 Q. Will W█████ undergo a reassessment even though  
20 he hasn't completed his eight sessions?

21 A. Yeah. That will be up to Stephanie and Matthew  
22 if they just want to combine the visits. We would just  
23 do his reassessment at seven instead of eight.

24 Q. The camp that you described earlier -- I think  
25 you said Camp Nah Nah Mah, was that just an emotional,

1 kind of like an emotional support camp for burn  
2 survivors?

3 A. It's an everything support camp for burn  
4 survivors. It really gives kids in particular but all  
5 burn survivors, especially if you're in a small town  
6 like Green River, Wyoming, you may be the only burn  
7 survivor that's a child that you know. It gives kids a  
8 chance to come and be with other kids that also have  
9 burn scars. We let them be kids and play and be active.  
10 But we also work a lot on scar acceptance, conversations  
11 with people who may just be meeting you, practicing  
12 scripts. That's what we worked on this past year is we  
13 helped kids do their short and long scripts when someone  
14 says, hey, what happened to you so they can be prepared  
15 and they don't feel anxious or nervous about having to  
16 talk about their burn injury. But a lot of it is just  
17 fun and normalizing being a kid after they've been  
18 through some hard stuff.

19 Q. Okay. Would it be fair to say that you are  
20 unaware of any need and necessity for additional  
21 therapy, laser treatments, or surgeries as it pertains  
22 to W\_\_\_\_\_ until such time a reassessment can be  
23 accomplished?

24 A. Yes, that's correct.

25 Q. And certainly even with a reassessment that can

1 change as W█████ continues to grow and get older up  
2 through the age of either 17 or 18?

3 MR. GIROUX: Form.

4 A. That's correct. He will need at least a  
5 once-a-year visit.

6 Q. (By Mr. Ayala) You don't have an opinion yet  
7 as to any need or benefit to scar revision surgeries  
8 given W█████'s age; is that fair?

9 A. That's fair.

10 Q. Any other recollection you have relating to  
11 either Stephanie or W█████ and the care and interactions  
12 you've had with them that we haven't discussed?

13 A. No, I don't think so.

14 MR. AYALA: Those are all of my questions.  
15 What I'd like to do -- and Suzanne, maybe you can  
16 assist on this one. I'd like to attach the 2024  
17 records of W█████ and Stephanie that we don't have  
18 in our file as of yet. Dr. Thompson mentioned  
19 August and having seen Stephanie at some point in  
20 August of 2024. So we'd like to attach those as  
21 Exhibit 1 to Dr. Thompson's deposition.

22 (Exhibit 1 to be marked for identification.)

23 MS. LEE: I can help with that but I am not  
24 the custodian of the records so I actually need you  
25 to make that request to our health information

1 management department and they would be happy to  
2 help you with that.

3 MR. AYALA: We can do that.

4 MS. LEE: Great, thanks.

5 MR. GIROUX: Dr. Thompson, do you need a brief  
6 break or are you okay?

7 THE WITNESS: I'm okay.

8 MR. GIROUX: Is everyone else good to go? I  
9 don't have much.

10 EXAMINATION

11 BY MR. GIROUX:

12 Q. Good morning your time, Dr. Thompson. My name  
13 is Jared Giroux. I represent Walmart and Jetson in this  
14 case. I got a few questions for you but not many.  
15 Thank you for taking the time to be here today. And I  
16 may jump a little bit more since plaintiff's counsel has  
17 already asked you a number of questions and I don't want  
18 to be duplicative and I apologize if I am.

19 When you're talking about the eight different  
20 laser treatments, is a patient such as Stephanie with 35  
21 percent of her burns receiving treatments on the entire  
22 area of the burned portions of her body?

23 A. No. She would only be receiving CO2 laser on  
24 areas that are thickened, firm or very itchy.

25 Q. So in Stephanie's case did those change, you